



BARNES & THORNBURG LLP

600 One Summit Square Fort Wayne, Indiana 46802 (260) 423-9440

PATENT APPLICATION IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Custome	er No.:	23641	}	<u>Ce</u>	rtificate Under 37 CFR 1.8(a)
Application No.:		10/659990			certify that this correspondence is
Confirmation No.:		4651	<pre>} }</pre>	Postal Se envelope	posited with the United States ervice as first class mail in an addressed to: Commissioner for P. O. Box 1450, Alexandria, VA
Filing D	ate:	September 11, 2003		22313-14	
Group A Unit:	Art	3616	} } }	on Octo	ober 19, 2004
Examiner Name:		David R. Dunn	}	Zellma G	ma Sunden
Attorney Docket No.:		262600/82641		7 0	
First Na Inventor		Michael M. Seiy	} } }		
Title:		APPARATUS AND METHOD FOR AUTOMATICALLY LEVELING AN OBJECT	} } }		
		TRANSM	ITTAL FO	ORM	
		(to be used for all corre	espondence after	initial fili	ng)
		ENCLOSURES	(check all t	hat app	ıly)
	Fee Tra	nsmittal Form		Expres	ss Abandonment Request
		Fee Attached		Inform	nation Disclosure Statement
	Amend	ment/Response		Certifi	ed Copy of Priority Document(s)
		After Final		Respon Applie	nse to Missing Parts/Incomplete cation
		Affidavits/declaration(s)			Response to Missing Parts under
	Extensi	on of Time Request			37 CFR 1.52 or 1.53

	Drawing(s)			al Communication to Board of als and Interferences
	Licensing-related Papers English	П	Annea	al Communication to Group
	Petition		(Appeal Notice, Brief, Reply Brief)	
	Petition to Convert to a Provisional		Propri	etary Information
	Application		Status Letter	
	Power of Attorney, Revocation Change of Correspondence Address	X	Other	Enclosure(s)
_	•			e identify below):
Ш	Terminal Disclaimer		(a)	Receipt Postcard
	Request for Refund		(b)	Notice of Co-Pending Application
П	CD, Number of CD(s)			Statement with copy of U.S. Patent App S/N: 10/843,128
	CD, Number of CD(s)		(c)	1.55
	After Allowance Communication to		(d)	
	Group			
Remai	rke.			
ixcillai	IXO.			

Gregory S. Cooper Reg. No. 40,965 (260) 423-9440

Date: October 19, 2004

FWDS01 GZC 185804_1

(Rev. 08/03)



BARNES & THORNBURG LLP

600 One Summit Square Fort Wayne, Indiana 46802 (260) 423-9440

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Customer No.: 23641 Application No.: 10/659990 Confirmation No.: 4651 Filing Date: September 11, 2003 Attorney Docket No.: 262600/82641 First Named Inventor: Michael M. Seiy Group Art Unit: 3616 Examiner Name: David R. Dunn Title: Apparatus and Method for

Automatically Leveling an

Certificate Under 37 CFR 1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450

on October 19, 2004

NOTICE OF CO-PENDING APPLICATION STATEMENT

Commissioner of Patents P. O. Box 1450

Alexandria, VA 22313-1450

Object

Sir:

This statement is filed in the application identified above pursuant to 37 C.F.R. § 1.56. (See MPEP § 2001.06(b).) The filing of this Statement shall not be construed to be an admission that the information cited in the Statement is, or is considered to be, material to patentability as

defined in § 1.56(b). The following application, having the same inventors, was co-pending during the prosecution of the above-identified application:

CO-PENDING APPLICATION

SERIAL NO.	INVENTION	FILING DATE
10/843128	Mark M. Eichhorn	May 11, 2004

A copy of the co-pending application cited above is provided herewith pursuant to 37 C.F.R. § 1.98.

The above-cited application is not believed to disclose or suggest the invention recited in the claim of the above-identified application. It is therefore believed that the claimed invention is patentably distinguishable over this reference.

Please charge any fees that might be due in connection with this Notice of Co-Pending Application Statement to our Deposit Account No. 02-1010 (262600/82641).

Respectfully submitted,

BARNES & THORNBURG LLP

Gregory S. Cooper

Registration No. 40,965

(260) 423-9440

FWDS01 GZC 185808_1